Single Bench 4

(2)

CF1002

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

WRIT PETITION (S) NO. 5039 OF 2006

PETITIONER : Ramvilas Kurre, son of Shri M.R. Kurre, aged about 53 years, presently working as Upper Division Teacher, Middle School, Katkona, resident of Village Gudar, Post Gudar, Tehsil Baikunthpur, District Koriya.

P.R. No. 505016
Presented by Shri Shamila Singh
dated 11/9/06

VS

RESPONDENTS :

1. State of Chhattisgarh, through the Secretary, Ministry of Education, D.K.S. Bhawan, Raipur.
2. The Collector, District Koriya (Chhattisgarh).
3. Smt. Renuka Singh, the then Minister In-charge, District Koriya.

OATH COMMISSIONER
APARNA MALVIYA
CG-2073/96
16/09/06
Bilaspur Chhattisgarh

WRIT PETITION UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA

31

HIGH COURT OF CHHATTISGARH AT BILASPUR

S.B. : HON'BLE MR. SATISH K. AGNIHOTRI, J.

WRIT PETITION (S.) NO.5039 OF 2006

Petitioner	:	Ramvilas Kurre
	versus	
Respondents	:	State of Chhattisgarh and others

Present : Ms. Sharmila Singhai, counsel for the petitioner.
Mrs. Anju Ahuja, Deputy Government Advocate for respondents No.1 and 2.
None appears for respondent No.3.

ORDER
(Passed on 14th of September, 2006)

The petitioner, working as Headmaster in Middle School Katkona, Block Baikunthpur, District Koriya has been transferred to Middle School Kamarjee, Block Janakpur, District Koriya by order dated 7-7-2006 (Annexure P-1). The petitioner has impugned this transfer order on the ground that it is a *mala fide* exercise of power without laying down any facts for establishment of *mala fide*.

2. However, at this stage, learned counsel appearing for the petitioner, without pressing other points, submits that the petitioner be granted liberty to pursue pending representation dated 28-7-2006 (Annexure P-5) before Collector, District Koriya, to which learned counsel appearing for respondents No.1 and 2 has no objection.

3. The writ petition is dismissed. However, in the facts and circumstances of the case, the Collector, District Koriya is directed to consider the pending representation dated 28-7-2006 (Annexure P-5) of the petitioner on humanitarian grounds and dispose of the same within a period of three weeks from receipt of a copy of this order. No order as to costs.

Certified copy as per rules.

Sd/-
Satish K.Agnihotri
Judge